

**Notice of Allowability**

Application No.

10/805,589

Examiner

Ted M. Wang

Applicant(s)

KOST ET AL.

Art Unit

2611

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/11/2008 amendments.
2. ☒ The allowed claim(s) is/are 5,6,8,11,13,15,16,19 and 21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>6/6/2008</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|  | 9. <input type="checkbox"/> Other _____.   |

/Ted M Wang/  
Primary Examiner, Art Unit 2611

## **DETAILED ACTION**

### ***Examiner Amendments***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Applicant's representative Mark Berrier on 6/6/2008.
3. The application has been amended as follows:

In the claims:

- ☐ Claim 11, line 15, after "rate" insert --- and discard every second bit ---.
- ☐ Claim 19, line 10, change after "rate" insert --- and discarding every second bit ---.
- ☐ Claim 21, line 8, after "rate" insert --- wherein every second bit is discarded ---.

### ***Allowable Subject Matter***

4. Claims 5, 6, 8, 11, 13, 15, 16, 19 and 21 are allowed.
5. The following is an examiner's statement of reasons for allowance.
  - ☐ The prior art fails to teach an apparatus of Claims 5, 8, 11, 13, 15, 19 and 21 that specifically comprises the following:
    - The instant application is deemed to be directed to a non-obvious improvement over the admitted prior art of the instant

application and the invention patented in Pat. No. US 5,602,878, US 6,748,497, US 6,970,435 and GB 2200817A.

The improvement comprises:

With regard Claim 5 " locations and the same data being loaded into the second set of storage locations by delaying a load signal corresponding to a selected storage location in the first set by a predetermined amount and determining whether the delayed load signal falls within a temporal window associated with loading a selected storage location in the second set, " as recited in combination with other limitation in claim 5,

With regard Claim 8, " a second set of storage locations, wherein the second set of storage locations comprises four storage locations corresponding to the storage locations in the first set, and an additional storage location, wherein adding data comprises reading the additional storage location. " as recited in combination with other limitation in claim 8,

With regard Claims 11 and 19, " read data from the second set of storage locations according to a second clock signal having a rate that is different from the rate of the first clock signal and to read data from the second set of storage locations in an interleaved fashion to generate a single serial data stream at the second clock rate, and

discarding every second bit " as recited in combination with other limitation in claims 11 and 19, respectively,

With regard Claims 13 and 21, " read data from the second set of storage locations according to a second clock signal having a rate that is different from the rate of the first clock signal and discard every second bit, " as recited in combination with other limitation in claims 13 and 21, respectively, and

With regard Claim 15, " determining a delay between each data bit being loaded into the first set of storage locations and the data bit being loaded into the second set of storage locations by delaying a load signal corresponding to a selected storage location in the first set by a predetermined amount and determining whether the delayed load signal falls within a temporal window associated with loading a selected storage location in the second set;" as recited in combination with other limitation in claim 15.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted M. Wang whose telephone number is (571) 272-3053. The examiner can normally be reached on M-F, 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

/Ted M Wang/  
Primary Examiner, Art Unit 2611